



Friends of the Mississippi River

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Working to protect the Mississippi River and its watershed in the Twin Cities Area.

May 4, 2006

Pamela Miner
Community Planning Supervisor
City of Minneapolis - CPED
350 South 5th St., Room 210
Minneapolis, MN 55415

Dear Ms. Miner,

Friends of the Mississippi River (FMR) is a local non-profit organization that works to protect and enhance the Mississippi River and its watershed in the Twin Cities metropolitan area. FMR is a citizen-based organization with over 500 active members and thousands of volunteers whom live within the City of Minneapolis.

As a regional organization specializing in protecting the unique resources of the Mississippi, FMR engages with a variety of riverfront communities on development issues that have potential impacts on the river. We have worked proactively and successfully with many communities to plan for a balanced approach to development that protects the river's natural resources, open spaces and important greenway connections to the Mississippi river corridor and flyway.

In Minneapolis, FMR has been involved with development of the Above the Falls Master Plan and we currently serve on the Above the Falls Citizen Advisory Committee as an environmental representative. We also partnered with the City to fund and conduct the Upper Harbor Terminal Redevelopment Study in 2004.

In 2000, FMR initiated the Gorge Stewards Project in the Longfellow Neighborhood and have since expanded the project to include Seward, West Bank, Marcy Holmes, Prospect Park and three neighborhoods in St. Paul with annual participation of more than 900 volunteers. We work closely with MPRB and neighborhood organizations of the Lower Gorge to engage local residents in ongoing year-round education and restoration activities.

Please accept the following comments from Friends of the Mississippi River regarding the Draft Mississippi River Critical Area Plan for the City of Minneapolis.

First we would like to commend the City for many of the concepts and policies put forth in this Draft Critical Area Plan (henceforth CAP). Specifically, we are pleased about the following:

- The CAP clearly lays out the City's overarching goals to improve the natural, cultural, scenic, recreational and economic assets of the river corridor.
- The CAP clearly identifies the Upper River (north of Plymouth) as an area where the land use is in transition from industrial to parks, trails, residential and commercial development as laid out in Minneapolis' Above the Falls Master Plan.
- Section II of the CAP does an excellent job of laying out the existing conditions in a way that is thorough, informative and easy to understand.

For the purposes of Comprehensive Planning, the Critical Area Policies are generally adequate, with the exception of the following concerns and criticisms.

III. B. Site Development Standards and Visual Quality Policies

The General Intent **Section B-1** does a good job of identifying overarching goals such as "in the Urban Open Space, which includes the Lower Gorge, the predominant visual feature should be trees and bluffs," and "The City will prevent development that blocks or has significant negative impact on key scenic views." However, since the presence and extent of visual impacts are often subjective, these standards may prove difficult to implement. **Section B-5, Structure Setbacks** includes a specific dimensional standard for setback, and the same should be included for height. Stating "structures within the Critical Area should be shorter when located closer to the river" is too vague. Shorter is a relative word that could be interpreted in ways that would not prevent visual impacts.

Setting a dimensional standard for the "Urban Open Space District," in which height limits of 35 feet are clearly spelled out in state law governing critical area, is especially important. If the goal is to ensure that the predominant visual feature is trees and bluffs (as stated in B-1), then structures should not exceed the height of the trees on Edmund Boulevard, West River Parkway, Seabury Avenue and East River Road. FMR believes that a maximum height limit of 35 feet should be directly tied to the river corridor, not just the underlying neighborhood zoning, which can be changed without DNR review and may not take the river's scenic qualities into account.

In the area north of Hennepin Ave and Above the Falls, we recommend setting specific height limits of 30-48 feet throughout the critical area corridor, but especially for structures that front the parkway and river. Significant investment is and will be made to develop a park and parkway system along both sides of the river and it is important that views of the river not be privatized and that open space qualities of the river parkland extend to the street development that faces the river.

Another suggestion would be to include a requirement that an independent (i.e. not done by the proposer) visual impact analysis be carried out for any proposed riverfront development that exceeds 35 feet. If possible, MNRRA should be consulted on these.

III. B-4 Site Layout and Architectural Design

We applaud and appreciate this section as a great example for other cities to follow. Development of more specific design guidelines that will enhance the riverfront should be included in the zoning code updates or otherwise formally adopted by the City.

III. B-5 Structure Setbacks

Minimum structure setbacks should be 100 feet from the ordinary high water level. This is required to comply with MNRRA Tier II standards that will enable Minneapolis to be eligible for funding assistance from the National Park Service.

III. C-4. Vegetation

Clear-cutting needs to be better defined and include the minimum number of trees in a stand and the minimal distance between trees that are part of a stand. Removal of large trees from private property should be prohibited everywhere in the Urban Open Space District, unless the tree is diseased or presents a hazardous situation. Regulations could be more specific than this and include a minimum diameter and/or a list of specific named species. Bur Oaks are especially important through here because many of them are over 200 years old and they provide an important seed source for oak savanna, brushland and forest in the adjacent park. Future generations of these majestic Bur Oaks are highly threatened by the presence of invasive buckthorn.

III. G-1 Recreation Variety

All of Nicollet Island is within a Regional Park and any new development should comply with the requirements of the Metropolitan Council Parks and Open Space policies.

III. G-4. Regional Trails

Please add a specific goal about extending the Midtown Greenway across the river to connect with St. Paul.

III. G-6 Boat Access Points

FMR discourages the development of full-service marinas in Minneapolis. Marinas should be prohibited in the Gorge below Washington Ave. because of the presence of higher quality bluff and shoreline habitat. Privately owned marinas should be prohibited throughout Minneapolis to prevent any new private ownership of the river edge.

IV. Plan Implementation - E. Regulations Protecting the Critical Area

FMR strongly recommends that the City develop a specific chapter of the zoning code to implement the goals and policies of this plan. The City of St. Paul is in the process of developing a new river corridor chapter for their zoning code, which could prove useful as a model. MNRRA is also developing a model ordinance for cities within the critical area.

Corrections/Clarifications

II. A-3. Lower Gorge and A-5 Major Vegetation

The Critical Area Corridor in Minneapolis includes a rare remnant prairie near 36th Street. Since this resource represents the predominant pre-settlement natural plant community in south Minneapolis (and is the focus of a 10-year oak savanna restoration effort), it deserves mention in this section as an important part of the City's natural heritage and resources.

III. A-3 Appropriate Riverfront Land Uses – Lower Gorge

The 40th Street Greenway is proposed to move south to 42nd Street from Hiawatha Ave eastward to the River in order to incorporate pedestrian crossings at Hiawatha and West River Parkway. 40th Street does not cross Hiawatha and it ends at 46th Ave S.

III. B-3 Views of and From the River

The proposed overlook at 36th Street, north of the ravine was completed by MPRB in 2001.

Please do not hesitate to contact me if you have questions about these comments. FMR looks forward to continuing to work with the City of Minneapolis, MPRB and city residents to ensure that the Mississippi River Corridor's unique qualities and values are fully protected for future use and enjoyment.

Thank you for your consideration.

Sincerely yours,

Irene Jones
Outreach Director
Friends of the Mississippi River

Cc: Judith Martin, Planning Commission Chair
Gary Schiff, City Council Planning and Zoning Committee Chair
Cara Letofsky, Office of Mayor Rybak
John Gurban, MPRB Superintendent